

#13/1

ATTORNEY'S DOCKET NO. S0001-01400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

E. Neil Lewis et al.

Examiner:

Curtis

Serial No.:

09/828,281

Art Unit

2872

Filed: Title:

April 6, 2001

HYBRID-IMAGING SPECTROMETER

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

The undersigned hereby certifies that this document is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 29, 2003.

Kristofer E. Elbing

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT

Please amend claim 1 in this application as follows. Changes are highlighted in the attached document entitled "Marked-Up Version to Show Changes Made."

1. (Amended) An imaging optical instrument for acquiring images of a sample area, comprising:

a spatial detector including a plurality of aligned detector elements,

a variable filter having wavelength response characteristics that vary in at least one spatial direction, and

an actuator operatively connected between the variable filter and the spatial detector and operative to move the variable filter relative to the spatial detector along the spatial direction in which the wavelength response characteristics vary, while maintaining at least some concurrent optical paths from the sample area to the spatial detector that pass through different portions of the variable filter having different wavelength response characteristics.

11. (Amended) The apparatus of claim 1 further including means for shifting acquired data on a line-by-line basis as it is being acquired.

00000044 09828281

08/04/2003 ANABI1

42.00